IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

WP(C).No. 12464 of 2007(H)

AS.128/2006 of DISTRICT COURT, KOTTAYAM
OS.528/1996 of MUNSIF COURT, KANJIRAPPALLY

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PETITIONER: PLAINTIFF IN THE SUIT

RAGHAVAN, S/O. NARAYANAN, AGED 49,
KIZHAKKEPARA HOUSE, RESIDING AT MANJACKAL
PARAMBIL HOUSE, CHERUVALLYKARA, -DO- VILLAGE,
KANJIRAPPALLY.

BY ADV. SRI.P.KURUVILLA JACOB
SRI.A.K.ALEX

RESPONDENTS: DEFENDANTS IN THE SUIT

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1. MATHEW @ BABY, S/O. MATHAN,
MANJACKAL HOUSE, CHERUVALLY KARA, -DO- VILLAGE,
KOTTAYAM DISTRICT.

2. RAGHAVAN NAIR, S/O. RAMAN NAIR,
CHOORAPADIYIL HOUSE, CHERUVALLY KARA,
-DO- VILLAGE, KOTTAYAM DISTRICT.

3. THE PONKUNNAM SERVICE CO-OPERATIVE
BANK LTD., PONKUNNAM, REPRESENTED BY
ITS SECRETARY, THOMAS MATHEW.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR, J.

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WP(C).No. 12464 OF 2007

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DATED THIS THE 11TH DAY OF APRIL, 2007

JUDGMENT

This writ petition is filed for a writ of mandamus directing District Court, Kottayam to issue carbon copy of the judgment in A.S.128 of 2006 and to stay further proceedings in E.P.8 of 2004 to enable petitioner to challenge the judgment contending that in spite of the copy application, carbon copy was not furnished. The registry was directed to contact District Judge to find out why the carbon copy was not issued. It was reported that carbon copy was complied with and was kept ready for delivery at the District Court from 27.3.2007 onwards. In such circumstances, this petition is dismissed.

2. The learned counsel appearing for the petitioner submitted that there may be a direction to issue the carbon copy to petitioner. As and when carbon copy is ready and petitioner appears, court is bound to issue the copy. No other direction is warranted.

M.SASIDHARAN NAMBIAR, JUDGE

lgk/-